

025 - COUNTY COUNSEL

Operational Summary

Description:

To provide the highest quality legal advice and representation to the Board of Supervisors, elected and appointed department heads, County agencies/departments and staff, and Board-governed special districts.

At a Glance:

Total FY 2002-2003 Projected Expend + Encumb:	4,926,824
Total Recommended FY 2003-2004 Budget:	8,365,053
Percent of County General Fund:	0.34%
Total Employees:	98.00

Strategic Goals:

- Provide highly competent legal advice to clients on matters related to their public duties and responsibilities in the administration of the public's business, in accordance with high ethical and professional standards.
- Effectively prosecute and defend civil actions in which clients are involved.
- Deliver all legal services to clients as efficiently and economically as possible.

Key Outcome Indicators:

Outcome Indicator	2002 Business Plan Results	2003 Business Plan Target	How are we doing?
PERCENTAGE OF AGENCIES RATING ADVISORY SUPPORT AS SATISFACTORY IN TERMS OF QUALITY & RESPONSIVENESS. What: Measurement of quality and effectiveness of services provided. Why: Client satisfaction is the primary measure of success for a service agency.	100% based on survey of clients.	Continue to be rated as in 2002.	Met goal.
PERCENTAGE OF WRITTEN OPINIONS CHALLENGED IN COURT OR ADMINISTRATIVE PROCEEDINGS. What: Measurement of the quality of legal advice. Why: Provides measure of quality of services provided.	Two opinions challenged (1%).	Maintain at 5% or less.	Exceeded goal.
PERCENTAGE OF CHALLENGED WRITTEN OPINIONS THAT ARE UPHELD. What: Measurement of the quality of legal advice. Why: Provides measure of quality of services provided.	Two opinions upheld (100%).	Maintain 90% or better rate of success.	Exceeded goal.

Key Outcome Indicators: (Continued)

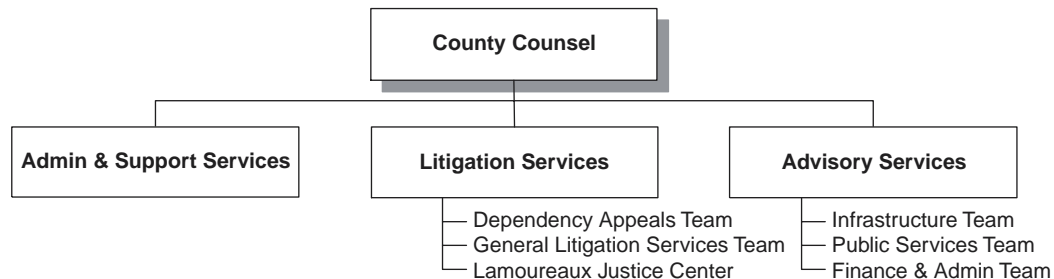
Outcome Indicator	2002 Business Plan Results	2003 Business Plan Target	How are we doing?
PERCENTAGE OF CLIENTS RATING LITIGATION SUPPORT AS SATISFACTORY IN TERMS OF QUALITY/RESPONSIVENESS. What: Measurement of quality and effectiveness of services provided. Why: Client satisfaction is the primary measure of success for a service agency.	100% based on survey of clients.	Continue to be rated as in 2002.	Met goal.
PERCENTAGE OF DEPENDENCY CASES UPHELD ON APPEAL. What: Measurement of the quality of services provided by County Counsel. Why: Provides measure of quality and effectiveness of services provided.	90% were upheld on appeal.	Maintain 90% or better rate of success.	Met goal.
PERCENTAGE OF MENTAL HEALTH CASES WON OR RESOLVED WITH APPROVAL OF CLIENT. What: Measurement of the quality of services provided by County Counsel. Why: Provides measure of the quality and effectiveness of services provided.	93% won or resolved.	Maintain 90% or better rate of success.	Exceeded goal.
PERCENTAGE OF GENERAL LITIGATION CASES WON OR RESOLVED WITH APPROVAL OF CLIENT. What: Measurement of the quality of services provided by County Counsel. Why: Provides measure of quality and effectiveness of services provided.	Estimated to be 90-95%.	Maintain 90% or better rate of success.	Met or exceeded goal.
PERCENTAGE OF CLIENT REQUESTS FOR LEGAL ADVICE RESPONDED TO WITHIN 30 DAYS. What: Measurement of the timeliness and effectiveness of services provided. Why: Provides measure of quality and effectiveness of services provided.	In 1998, baseline inventory of opinion requests showed 200+ to be unanswered within 30 days of receipt. January 2003 inventory showed 60 opinion requests in that category (30% of 1998 baseline). Office goal is 25% of baseline.	Maintain inventory of 30 day old opinion requests below 25% of 1998 baseline.	Did not meet goal. Opinion request backlog has risen above target level, even though opinion productivity is up 30%.
PERCENTAGE OF CLIENTS RATING LEGAL SERVICES AS SATISFACTORY OR BETTER IN TERMS OF TIMELINESS. What: Measurement of timeliness of services provided. Why: Client satisfaction is the primary measure of success for a service agency.	100% based on survey of clients.	Continue to be rated as satisfactory by 100% of client agencies in terms of timeliness.	Met goal.

Fiscal Year FY 2002-2003 Key Project Accomplishments:

- Provided substantial unprogrammed hours of attorney time to meet new and increased client needs, e.g., water quality, tax litigation, contract review, Health Insurance Portability and Accountability Act (HIPAA), Dana Point Harbor leases, sale of Newport Dunes Marina, and Housing/Community Development's new loan program.
- Provided substantial legal support to JWA on post 9/11 legal requirements for enhanced security, agreements between the County and the Transportation Security Administration related to 100% baggage screening, and extension of noise and operational constraints.
- Developed ordinance relative to minimum levels of property maintenance in areas of County jurisdiction.

- Provided substantial training to clients, e.g., Assessor, Social Services Agency, Public Administrator/Public Guardian, Health Care Agency.
- Successfully defended the County in Measure V litigation.

Organizational Summary



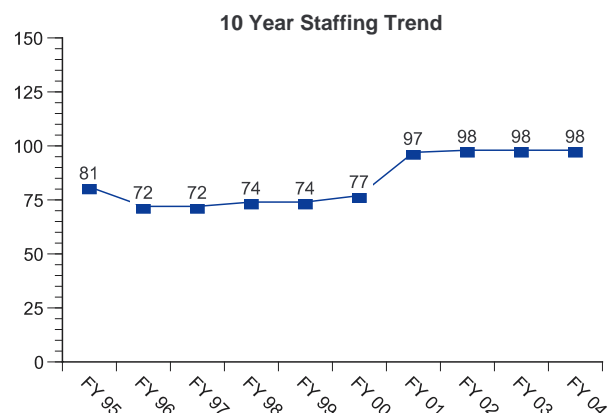
COUNTY COUNSEL - EXECUTIVE - Provides executive management oversight for department. Attends Board of Supervisors' meetings and provides legal services to the Board of Supervisors.

ADVISORY SERVICES - Provides legal advice to officers and employees of the County on matters relating to their duties and responsibilities in the administration of the public business. Drafts and reviews legal opinions, contracts, leases, licenses, permits, deeds and conveyances, franchises and city-County agreements, Ordinances, Resolutions, and bills for introduction in the Legislature. Attends meetings of the Board of Supervisors and other County boards and commissions.

LITIGATION SERVICES - Prosecutes and defends civil actions in which the County or Board-governed districts are involved such as eminent domain proceedings, tax cases, zoning matters, environmental and contract actions, damage suits, and election matters. Provides legal services to the Public Administrator/Public Guardian in conservatorship matters and legal services to the Social Services Agency in Juvenile Court matters concerning abused, abandoned, or neglected children.

ADMINISTRATIVE SUPPORT - Provides administrative, clerical, and general support for the County Council and the two other divisions. Responsible for secretarial support to the attorneys, law library support and resources, human resources functions, budget, records management, computer systems and network administration, accounting, safety, and purchasing.

Ten Year Staffing Trend:



Ten Year Staffing Trend Highlights:

- No new positions were added in FY 03/04 or in FY 02/03.
- One position was added in FY 01/02 in response to client department request for additional service in the area of HCA special education and juvenile client issues.

- Twenty positions were added in FY 00/01 in response to client department requests for additional services in the areas of SSA/Juvenile Dependency and CSA/PA-PG LPS/Probate and for added litigation support.
- Five positions were added from FY 95/96 to FY 99/00 to meet increased service requests by client departments.
- Nine positions were deleted in FY 94/95 due to the bankruptcy.
- One position was deleted from FY 91/92 to FY 93/94. During this period the number of positions fluctuated from a high of 82 in FY 91/92 to a low of 76 in FY 93/94 in response to changing requests for services by client departments.

nizational performance measurement program (ROG), the attorney pay for performance program, and the employee pay for performance program (PIP). County Counsel will continue to use contractors in lieu of adding staff when cost effective.

Changes Included in the Recommended Base Budget:

Funding for representation of the Public Administrator/Public Guardian (PA/PG) was transferred from the PA/PG to County Counsel, thereby eliminating the need to cost apply legal services to the client.

Budget Summary

Plan for Support of the County's Strategic Priorities:

County Counsel will continue to improve efficiencies, effectiveness, and economies within the department through expanded use of technology for communications, document review and production, and legal research. Staff will also continue to focus on successful implementation of the orga-

Proposed Budget and History:

Sources and Uses	FY 2001-2002 Actual	FY 2002-2003 Budget As of 3/31/03	FY 2002-2003 Projected ⁽¹⁾ At 6/30/03	FY 2003-2004 Recommended	Change from FY 2002-2003 Projected	
					Amount	Percent
Total Positions	-	98	98	98	0	0.00
Total Revenues	2,002,126	3,207,165	1,502,505	2,104,500	601,995	40.07
Total Requirements	4,808,612	8,056,918	5,158,776	8,365,053	3,206,277	62.15
Net County Cost	2,806,486	4,849,753	3,656,271	6,260,553	2,604,282	71.23

(1) Requirements include prior year encumbrances and expenditures. Therefore, the above totals may not match FY 2002-2003 projected requirements included in "At a Glance" (Which exclude these).

Detailed budget by expense category and by activity is presented for agency: County Counsel in the Appendix on page 581.

Highlights of Key Trends:

- Legal staff is allocated in response to the clients' increasing or decreasing workload, changes in legislation, and addition of programs or program components. State budget uncertainties, which affect client programs, make it difficult to project workload demands. Current areas of increasing workload due to

program expansions and/or legislative changes include water quality, flood control, Health Insurance Portability and Accountability Act (HIPAA), airport, property tax administration, and eminent domain. However, on occasion, clients' program reductions can also increase the need for legal services, such as Bielsen hearings for Health Care Agency or litigation.

Budget Units Under Agency Control

No.	Agency Name	County Counsel - Executive	Advisory Services	Litigation Services	Administrative Support	Total
025	County Counsel	287,266	2,902,638	2,902,394	2,272,755	8,365,053
	Total	287,266	2,902,638	2,902,394	2,272,755	8,365,053